

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** 05-672

**v.** : **DATE FILED:** 11/29/05

**PHILLIP MCDUFFIE** : **VIOLATIONS:**

: **21 U.S.C. § 841(a)(1), (b)(1)(C)**  
**(possession with intent to distribute**  
**cocaine base (“crack”) - 1 count)**

: **18 U.S.C. § 924(c)(1)(A) (possession of a**  
**firearm in furtherance of a drug**  
**trafficking crime - 1 count)**  
**Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about April 20, 2005, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**PHILLIP MCDUFFIE**

knowingly and intentionally possessed with intent to distribute a mixture and substance  
containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 20, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**PHILLIP MCDUFFIE**

knowingly possessed a firearm, that is, one Smith and Wesson .357 magnum revolver, serial number 51K8077, loaded with four live cartridges, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1)(A).

In violation of Title 18, United States Code, Section 924(c)(1).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

\_\_\_\_\_ As a result of the violation of Title 18, United States Code, Section 924(c)(1)  
as set forth in this indictment, defendant

**PHILLIP MCDUFFIE**

shall forfeit to the United States of America the firearm and ammunition involved in the commission  
of this offense, including but not limited to:

- (a) One Smith and Wesson .357 magnum revolver, serial number 51K8077; and
- (b) Four (4) live cartridges of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United  
States Code, Section 924(d).

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

\_\_\_\_\_  
**PATRICK L. MEEHAN**  
**United States Attorney**